

Ariel Morales Bracho
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 Plaintiff, in Proper Person

UNITED STATE DISTRICT COURT
 DISTRICT OF NEVADA

Ariel Morales Bracho

Plaintiff(s),

-vs-

Bellagio Hotel and Casino,

MGM Resorts International

Defendant(s).

Case No: 2:18-cv-02398

MOTION TO SET ASIDE
 DISMISSAL

According to Judge Stoberki, Holly S, in the TPO # 17PO1360: Court admonished all parties to have no contact with each other. Herty Carvajal, Juan Miranda, Yoendri Carballedo Hernandez and Jorge Calderón violated what the judge said and put a complaint in the police #LLV 180717001747 against me with false arguments and saying that they were referred by the Hotel Bellagio Human Resources. What proves harassment by the Defendant towards the Plaintiff. In addition they put a TPO # 18PO1161, # 18PO1160, # 18PO1162 against the Plaintiff and according to the laws NRS 200.575 and NRS 200.571, their arguments did not apply to be allowed to approve archiving said TPO. That proves that the law was violated only to hurt the Plaintiff psychologically, morally, and cause stress to the Plaintiff. The Plaintiff filed a document: Motion to modify, dissolve, extend or enforce order for protection against stalking, aggravated, stalking, or

1 harassment NRS 200.591 And I was denied. Allowing to continue with the TPO
2 which in the end were denied by false arguments. The Justice Court proved to
3 favor the Defendant MGM and Hotel Bellagio and Casino in violation of the laws.
4 This proves more corruption. The Plaintiff filed the TPO # 18PO1296 and TPO #
5 18PO1398 against the persons mentioned above and they denied me filing them.
6 My arguments were valid according to their actions and laws NRS 200.575, NRS
7 200.571 (1) (a) (4), (2) (b). If approved would be more evidence that would have
8 against the Defendant. What proves more corruption on the part of the Justice
9 Court to favor the Defendant.

10 The Defendant says that the Plaintiff alleges that the Culinary Union defended
11 Plaintiff very well. That's a lie. The Union closed the case without explanations.
12 Defendant, represented by Director of Human Resources Laura Moreno,
13 provoked the insubordination of the Plaintiff, which caused the Plaintiff's
14 dismissal. Defendant Laura Moreno affirmed it in front of the Union in the last
15 meeting that took place between the Defendant and the Union, that the Plaintiff
16 was very stressed and even put his hands on his head due to the psychological
17 damage he was suffering.

18 Plaintiff filed a lawsuit against the 5 employees who harassed him inside the
19 Bellagio Hotel, # 18A001696, # 18A001697, # 18A001698,
20 # 18A001699, # 18A001716.

21
22 These demands were manipulated by the Defendant MGM and Hotel Bellagio and
23 Casino in conjunction with the Judge, the translator and the security of the court
24 so that the Plaintiff would lose. This shows more corruption on the part of the
25 Defendant and the Justice Court. If the Plaintiff won those cases it would be more
26 evidence than it would have against the Defendant. Now the Defendant wants to
27 use the loss of the Plaintiff against him. What demonstrates the objective and
28 presence of the Defendant in the court on 08/21/2018. Plaintiff files a document

1 asking for more time for the date of the claim and was denied because the show
2 was already prepared for the Plaintiff to lose. In this meeting the Defendant lied
3 when he said that the Human Resources staff of the Bellagio Hotel met with the 5
4 people who were being sued, investigated the case and found nothing. The 5
5 defendants deny what the Defendant said when they say that no one from
6 Human Resources of the Bellagio Hotel met with them. The 5 defendants said that
7 the Plaintiff never filed complaints against them and the Defendant opposes them
8 by saying that the Plaintiff did lodge complaints against them. Demonstrating
9 negligence on the part of the Defendant to investigate the case. The video of the
10 court is proof of everything said and of the corruption of the Defendant and the
11 Justice Court. Plaintiff did not find a lawyer because with everyone he met he
12 came out defending the Defendant. Plaintiff paid \$ 225 for a visit to the
13 Psychiatric Solution Clinic where Dr. Ruth Ramírez rudely treated Plaintiff by
14 yelling: If you do not like Las Vegas, you leave here. Plaintiff delivered letters to
15 Defendant MGM CEO James Jim Murren asking for help to investigate the case
16 and take action. The letters were ignored, Defendant CEO never responded. The 5
17 people were found stealing from the Defendant by the Vice President of Security
18 at the Bellagio Hotel, Ray Brown, sleeping in the cafeteria between 4 and 6 hours
19 of work. Defendant refused to take fair measures to not agree with the Plaintiff.
20 The supervisors, the EVS Department Director, and all the Bellagio Hotel
21 Managers were responsible for this theft and therefore it was easier to dismiss
22 the Plaintiff than to take fair measures.

23
24 Defendant says: As a Claim that Bellagio wrongfully terminate Bracho and
25 Breached the CBA, it is dependent on interpretation of the CBA and is, thus,
26 preempted by section 301. But the laws have to be interpreted according to the
27 facts and the Defendant's corruption shows it. In their ambition to win the case
28 against the Plaintiff, the Defendant was like a powerful but corrupt company,

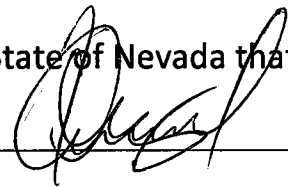
1 lying and manipulative. My lawsuit must follow its course and not as the
2 Defendant wants to manipulate it, treating it as a hybrid 301 Action in order to
3 eliminate it. The National Labor Relation Board rudely treated the Plaintiff by
4 yelling and manipulating him so that on appeal he would take the short form.
5 They even mocked the Plaintiff when they showed him the documents that say
6 the Plaintiff cannot enter the MGM Company. Proving to be in favor of the
7 Defendant closing my case.

8 On the other hand, Defendant Bellagio sent a letter to the Plaintiff saying that
9 they had nothing to do with my suit against the 5 people. Then the corruption of
10 the Defendant and the Justice Court is demonstrated to make me lose the case.
11 The Las Vegas police, represented by Detective Mildebrandt of the Las Vegas
12 Metropolitan Police Department's Commended Area Center Comman, also
13 proved to be in favor of the Defendant. On 01/06/2016 Plaintiff filed a complaint
14 with the police unit against Yoendri Carballedo Hernández and for harassment
15 and threats inside the Hotel Bellagio and Mildebrandt refused to investigate the
16 case. # LLV160601002956 Plaintiff returns to put complaints in the same police
17 unit but this time against the 5 people mentioned above, # LLV170918002962 on
18 09/18/2017. Again, Mildebrandt refuses to investigate the case. Plaintiff goes to
19 another police unit located at 3675 E. Harmon Ave Las Vegas NV 89121. Here they
20 accept that the Plaintiff was being harassed, threatened and suffered bullying
21 inside the Bellagio Hotel. Two days later Plaintiff calls to know about the
22 investigation and they say that the Hotel Bellagio does not belong to that area.
23 The Plaintiff is told to return to the Metro Police from the Convention Center and
24 this time I speak with Sergeant Reeder who agreed to file my case and said that
25 the Plaintiff was being harassed. Plaintiff asked to remove Mildebrandt from the
26 case and could not. For the third time Mildebrandt refuses to investigate the case.
27 Proving to be in favor of the Defendant.

1
2 When 4 of the aforementioned 5 people filed the complaint with false arguments
3 against Plaintiff in the same police unit # LLV180717001747, Mildebrandt called
4 the Plaintiff. He denied him a translator, he shouted at him blackmailing him,
5 threatening the Plaintiff with taking the demands out or putting him in jail.
6 Proving to be in favor of the Defendant. Plaintiff filed a complaint in internal
7 matters against Mildebrandt #SOC 2018-0462 who closed the case defending
8 Mildebrandt to favor the Defender MGM and Hotel Bellagio and Casino. Plaintiff
9 complained to the Citizen Review Board against Mildebrandt and closed the case
10 without investigating anything, notifying the Plaintiff after 90 days according to
11 the law and yelling rudely to Plaintiff disrespecting him. Blanca Nuñez of the
12 Neighborhood Justice Center witnessed it. They closed the case by favoring
13 Mildebrandt and the Defendant MGM and Hotel Bellagio and Casino. Plaintiff
14 filed on 01/08/2018: Exparte Motion to extend time to serve Defendant. Which
15 was sent to the Defendant by email. Plaintiff served the Defendant claim on
16 11/27/2018, on time. Plaintiff sent a copy of all the documents because in the
17 Justice Court's Self Help they notified the Plaintiff that it was OK to send a copy
18
19

20 DATED this 8th day of January, 2019

21 "I declare under penalty of perjury under the lass of the State of Nevada that the
22 foregoing is true and correct."



23
24 SIGNATURE
25 Ariel Morales Bracho
26 1445 E Harmon ave apt-204
27 ariel3men2009@yahoo.es
28 Las Vegas, NV 89119

CERTIFICATE OF MAILING

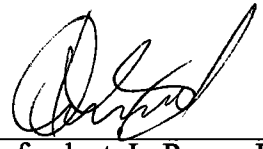
Pursuant to Nev. R. Civ. P. 5(b), I HEREBY CERTIFY that on *(insert date of mailing)*

JANUARY 18, 2019, I placed a true and correct copy of the above **MOTION**
FOR SET ASIDE DISMISSAL

in the United States Mail at Las Vegas, Nevada, with first-class postage prepaid, addressed to the
 following *(insert name and address of opposing party's attorney, or opposing party if unrepresented)*:

R. CALDER HUNTINGTON, ESQ, BAR # 11996
HGM RESORTS INTERNATIONAL
6385 S. RAINBOW BLVD, SUITE 500
LAS VEGAS NV 89118

DATED: JANUARY 18, 2019.


☒ Plaintiff/ ☐ Defendant, In Proper Person

(Signature)